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PATENT CASE: SY01113Q

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Application of: Barbara J. Winslow *et al.* : Examiner: Park, Hankyel

For Patent: **RECOMBINANT VIRUS** : Date: April 21, 2003  
**EXPRESSING FOREIGN DNA ENCODING**  
**FELINE CD80, FELINE CD86, FELINE CD28, :**  
**FELINE CTLA-4 OR FELINE INTERFERON-**  
**GAMMA AND USES THEREOF** :

Serial No.: 09/303,040 :

Group Art Unit: 1648

Filed: April 30, 1999 :  
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**FAX RECEIVED**  
**APR 21 2003**  
**PETITIONS OFFICE**

PETITIONS  
Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Attention: Sherry D. Brinkley**  
Fax No: (703) 308-6916

**PETITION UNDER 37 CFR 1.313(c)(2)**

The Applicants hereby petition the Commissioner to **withdraw** from issue the above-identified patent application under 37 CFR 1.313(c)(2). The Issue Fee for the above-identified patent application has been paid, and the corresponding patent is currently scheduled to issue on **April 29, 2003**. This petition is submitted to allow the Examiner to consider the accompanying request for continued examination (RCE) and the requisite submission under 37 CFR 1.114(c).

The Applicants therefore, concurrently submit a request for continued examination under 37 CFR 1.114 and a corresponding Fee Transmittal. The requisite submission is in the form of a Supplemental Information Disclosure Statement along with a Form PTO-1449.

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Per the accompanying Fee Transmittal, the Applicants hereby authorize the Commissioner to charge the following fees to their Deposit Account No. 19-0365:

1. The \$750.00 fee set forth in §1.17(e) for the RCE.
2. The \$130.00 fee set forth in §1.17(h) for the Petition.
3. The \$180.00 fee set forth in §1.17(p) for the IDS.

No additional fees are believed to be necessary, however, if any fees are required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 19-0365.

If any questions should arise regarding this filing, the Applicants strongly encourage the Patent Office to contact the undersigned attorney.

Respectfully submitted,



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Date: April 21, 2003